

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA**

Christopher Schmidt,

Plaintiff,

vs.

Citibank N.A.,

Defendant.

Case No. 1:23-cv-00028

**ORDER ADOPTING STIPULATION TO BINDING ARBITRATION
AND STAY OF PROCEEDINGS**

[¶1] THIS MATTER comes before the Court on a Stipulation to Binding Arbitration and Stay of Proceedings filed by the Parties on May 15, 2023. Doc. No. 4. The Parties have stipulated this matter shall be submitted to arbitration before the American Arbitration Association within 90 days from the date of this order. Arbitration is mandatory pursuant to a Card Agreement's Arbitration Clause. *Id.*; *see also* Doc. No. 4-1, p. 5 (Arbitration Clause). The Parties further agree all proceedings, including discovery, in this case shall be stayed pending the outcome of arbitration. Finally, the parties have agreed the arbitration judgment shall be entered in this court upon the conclusion of the arbitration.

[¶2] The Federal Arbitration Act requires the Court to enforce a valid arbitration agreement between parties to a litigation unless there are grounds "at law or in equity for the revocation of any contract or otherwise provided" by law. 9 U.S.C. § 2; *see also Allied-Bruce Terminix Companies, Inc. v. Dobson*, 513 U.S. 265 (1995) (quoting 9 U.S.C. § 2).

[¶3] The Court has considered the entire record in this matter and concludes this matter must be submitted to arbitration as set forth in the Stipulation. The Court further agrees this matter should

be stayed pending the outcome of the arbitration. See 9 U.S.C. § 3 (requiring the Court to stay its proceedings when one of the Parties requests a stay pending the outcome of a binding and enforceable arbitration).

[¶4] Accordingly, the Court **ADOPTS** the Stipulation to Binding Arbitration and Stay of Proceedings in its entirety and **ORDERS** the following:

- The Parties shall submit this matter to arbitration with the American Arbitration Association within ninety (90) days of this Order pursuant to the terms of the Arbitration Clause. See Doc. No. 4-1, p. 5.
- Upon conclusion of the arbitration, the Parties shall file the arbitration judgment in this proceeding.
- This case, including discovery, is **STAYED** pending the outcome of the arbitration.

[¶5] **IT IS SO ORDERED.**

DATED May 16, 2023.



Daniel M. Traynor, District Judge
United States District Court